

ALASKA STATE LEGISLATURE

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Sectional Analysis

Senate Bill 220

Section 1 – State Employee State Residency Required; Determination; Termination; Regulation Authority

Section 1 creates three new sections in law:

Sec. 39.25.025 establishes the requirement that a full-time employee of the state in a classified, exempt, or partially exempt position must be, or become, a resident of the state, for continued state employment.

Sec. 39.25.027 provides that the State Director of Personnel must annually determine whether state employees who are subject to the residency requirement and who have been employed for the entire previous calendar year are not eligible for a Permanent Fund Dividend in the current year, which links an employee's eligibility for continued state service to the employee's right to receive a PFD.

An employee who would qualify for a PFD but who is ineligible because the employee did not actually apply for a PFD, or an employee who does not qualify due to certain criminal convictions that do not prevent state employment but disqualifies the employee for a PFD, may still be eligible for continued employment.

The director must notify affected departments of an employee who is not eligible for a PFD and who is not otherwise excepted from the requirement, and the employee shall be terminated.

Sec. 39.25.029 authorizes the Commissioner of Administration to adopt regulations to implement these provisions.

Section 2 – Clarifying Language Added for Employees Who Must Work Out-of-State

Current law provides limitations on the duration that a PFD applicant may be absent from the state and still be eligible for a PFD. An exception exists for state employees who work in "a field office or other location"; the bill adds clarifying language that the employee's presence in the location that is out-of-state must be necessary to fulfill the employee's job duties.

Section 3 – Applicability to Collective Bargaining Agreements

The new residency requirement does not apply to collective bargaining agreements entered into before the bill's effective date.

Section 4 – Transition Provision for Applicability to Current State Employees

A current state employee may continue state employment until January 1, 2024, despite ineligibility for state service under the new residency requirement.

Section 5 – Effective Date

The Act is effective July 2, 2022.